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ABSTRACT

This report reviews the policy-making processes within departments at Duke University, as well as the relationships between departments and central administration on the one hand, and with students on the other hand. Specifically, the report examines and makes recommendations regarding: (1) the office of the departmental chairman, his selection, term of office, incentives, and powers; (2) faculty mechanisms of departmental governance; (3) mechanisms for student participation: undergraduate and graduate program committees and other methods of ensuring greater student participation; and (4) the composition of the Advisory Committee to the Dean of Faculty. A proposed statement on procedural standards regarding the renewal or non-renewal of faculty appointments by the American Association of University Professors, and a separate statement of views on student participation in departmental governance are included in the appendix. (AF)

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DUKE UNIVERSITY

Commission on
University Governance

# Interim Report:
# DEPARTMENTAL GOVERNANCE

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## Introduction

The Commission's review of departmental governance extended through more than a dozen meetings each of several hours duration. The review included discussions with departmental chairmen, graduate and undergraduate students, junior and senior faculty, a general public meeting, consideration of existing arrangements here and differences at other institutions, the recommendations of several academic associations, and consideration of the context provided by the Commission's earlier review of the central administration and the Board of Trustees. The deliberateness of this review was warranted by two considerations.

First, it is significant that within Duke University the individual departments have possessed an impressive degree of autonomy. Although the central administration exercises budgetary control, each department is substantially independent in the determination of its own working environment. Similarly, while extradepartmental agencies such as the Undergraduate Faculty Council have control over a number of general academic decisions, the degree to which each department is formally required to abide by such decisions is limited. Accordingly, this autonomy of governance within each department has had much to do with the immediate concerns of students and faculty where they live and where "it counts."

Second, the Commission has become aware of some dissatisfaction in matters of departmental governance—a dissatisfaction which is no more acute at Duke than at other institutions but substantial nonetheless. A number of students have expressed dissatisfaction with the limited responsiveness of departments to requests for change and for greater student participation. Some junior faculty have objected to the insignificant influence they felt they have had in their departments, as well as to the insecurity of their position. Other faculty members have commented that departmental chairmen sometimes appear to identify too much with central administration and seek to govern their colleagues, rather than to represent them. This combination of things—the tradition of great departmental autonomy, the importance of departmental governance in light of that autonomy, and a general background of dissatisfaction among many are sufficient to warrant time and care in the review of that governance. With this background in mind, it may be appropriate first to report certain general impressions

of departmental governance before turning to particular aspects of that governance.

In the Commission's view, the tradition of departmental autonomy has contributed a great deal to the academic excellence of the departments, although its hazards need to be acknowledged and its limitations should be noted as well. Departmental self-determination has provided a natural basis for a sense of collegial identity and it has furnished an important opportunity for members of each department to develop programs according to their own shared professional judgment. At the same time, however, it can also be conducive to an unhealthy faculty disengagement from university-wide concerns and, if not controlled, it can balkanize academic programs. When permitted to drift to an extreme, it may serve to protect mediocrity and the perpetuation of policies, programs, and personnel scarcely compatible with the needs of the university. In both respects, it may be seen that the merit of departmental autonomy depends in part upon some regularized degree of governance relationships with the central administration and with the student body.

In addition, minimum standards of full faculty participation within each department need to be determined and to be observed, and a proper balance between shared faculty control and the executive authority of the chairman must be recognized within each department. Necessarily, therefore, this Report will review the governance relationships within departments, as well as the governance relationships between departments and central administration on the one hand and with students on the other hand.

In the internal ordering of departmental governance, the Commission believes that those most enduringly affected by particular decisions should correspondingly hold the principal authority in recommending those decisions. Those best situated to know the merits of a particular proposal should correspondingly provide the principal source of consultation and advice in the making of that proposal. And in both respects, the governance mechanisms which reflect these considerations must be sufficiently practical to insure that they will work.

Specifically, to the extent that the faculty members of each department possess a greater professional expertness in assessing overall scholarly competence, their recommendations should constitute the

principal source of reliance by the central administration on questions of personnel. To the extent that the faculty members within each department must also depend upon one another and, indeed, must live and work together indefinitely, moreover, they clearly have a principal stake in personnel decisions. The Commission's recommendations will accordingly reflect these considerations.

To the extent that the university exists neither for its own sake nor solely for the scholarly development of its own faculty, but significantly for the education of students, however, students must themselves be provided with significant means to influence decisions which affect the quality of the teaching which, in turn, affects them more than it affects anyone else. As it is clear that faculty members neither presume nor desire to intrude upon their colleagues' classes as a regular means of reviewing their teaching excellence, moreover, it is also clear that the faculty is not better situated to make judgments of teaching excellence than are those who, as students, regularly attend those classes over the course of a semester, or a year, or more. The question in this regard is not one of determining whether student appraisals are less fallible than those of the faculty made under the *same* conditions; we may suppose that they are not. And the question is not whether appraisals of teaching alone should be the sole consideration in personnel decisions; we are clear that they *are* not. Rather, it is simply a matter of observing that the consideration of teaching excellence is itself an important element in personnel decisions, that those directly exposed to particular teaching dozens of time a semester have a better basis for appraising it than those who have not been present at all, and that those for whom the classroom is their vital interest in departmental governance have as much claim to consultation on decisions affecting the classroom as those for whom it represents but one aspect of their professional relationship with their colleagues. Thus, an influential means of contributing to personnel decisions must be provided to students, in measured proportion to the importance that teaching may have to the overall purposes of the university. Similarly, the configuration of courses to be offered, added, or dropped has so obvious an impact on the choice of things that students are free to learn, that here as well a just claim to consultation must be acknowledged.

Against these claims, there are certain practical difficulties of a substantial character. Unlike the faculty which is grouped by an affinity

of professional interests by departments, undergraduate students have no equivalent natural organization by department and even many students who are well along in their major have little association with any student group or student union identified with a particular department. Paradoxically, graduate students who are more intimately grouped with the departments have expressed less interest overall in departmental governance. In formulating proposals for appropriate consideration of student judgment of teaching excellence as one significant element of personnel decisions, the Commission has therefore devoted particular attention to means which would measure the appraisals of students actually taking particular courses, rather than of those of any particular organization.

An additional complication arises from constraints upon openness which it would be destructive to ignore. A number of personnel decisions–hiring, retention, promotion and tenure–touch very closely the lives of those associated with the department. Matters of a personal nature require a degree of confidentiality if unnecessary harm to individuals is to be avoided. Indeed, the very existence of public awareness of some such deliberations may prove embarassing to an individual. An obvious example would involve departmental discussion of possible promotion of a member of the faculty. If the discussion leads to a negative decision, there is ordinarily no need to make the decision public, but widespread knowledge of the deliberations may itself do a disservice to the faculty member involved. Thus, open discussion and gossip of all issues may frankly be undesirable, even while every reasonable effort must be made to provide for a fair flow of information and the effective contribution of all concerned parties.

With these general considerations providing the texture for this interim report, we turn to the specific sections: the role of the departmental chairman; mechanisms of departmental faculty governance; mechanisms of student participation; and the Advisory Committee to the Dean of Faculty. Because the Commission's recommendations are more detailed in this Report than in previous reports, however, we have dispensed with a separate summary.

# I
# THE CHAIRMAN

The office of departmental chairman is very important in the Duke structure. The chairman not only has access to more information within the department than do other faculty members, he is also the major point of contact between the department and central administration and he alone submits recommendations on faculty salaries. It is of vital importance, therefore, that the chairman maintain the equal confidence of the faculty and the central administration. He cannot function effectively unless there is a fund of mutual respect and trust in both directions. His major locus within the university is in the department; he must be the department's spokesman and advocate. But he cannot carry out those functions unless he is respected by the administration. Much of what we have to say about the office of chairman reflects our concern for this dual relationship and the need to keep the office responsive in both directions. Our discussion is organized into four parts: selection, term of office, incentives, and powers.

## Selection

The Chairman usually is chosen in the fall of the year prior to the September in which he takes office. If the choice is to be made from within the university, a letter is sent by the Dean of Faculty to all regular members of the departmental faculty asking for opinions and suggestions. These responses are to be sent in writing, but the Dean's letter also suggests that he will be available for personal conferences if they are desired. When the letters are assembled, the Dean brings the materials to the Provost for a final decision. The Provost's decision is based not only on the import of these letters but on consultation with the Dean of Faculty, the Dean of the Graduate School, and the Dean of Undergraduate Education. A letter from the Provost is sent to each member of the departmental faculty announcing the decision prior to any public announcement.

Should the choice be made from outside the university, an ad hoc selection committee is appointed by the Provost consisting of members both within and outside the department. Candidates are evaluated by the departmental faculty and by the selection committee, and recommendations are forwarded via the Dean of Faculty to the Provost who makes the final decision. Whether the chairman is chosen from

within or outside the university, therefore, the final decision rests in the hands of the Provost, although full consultation is sought.

There are both advantages and disadvantages to this method of selection. The involvement of central administration in the choice of the chairman is one mechanism by which departmental stagnation can be prevented. Yet, such involvement also provides the potential for a loss of departmental autonomy. Our investigation did not locate evidence of undue influence by central administration, but it did uncover instances of faculty dissatisfaction, some of which were based on a suspicion of such influence. The bases of faculty dissatisfaction need to be noted first, and we will then propose some ways in which the situation might be improved.

It should be noted at the outset that we found almost no support for the proposal that central administration should not be involved in the selection process. The need for some source of counter weight to departmental autonomy was almost universally recognized, and the Commission supports the continuation of such administrative involvement. The expressions of dissatisfaction revolved, rather, around the form and extent of control by central administration.

No one suggested that it was likely that central administration would take unilateral action contradicting unanimous or near unanimous preference by the departmental faculty. The issue of administration involvement becomes salient, rather, when there is less than unanimity in the department. When this is the case, we find two kinds of complaints. There is the suspicion that the administration might use the division as a basis for justifying the choice of a chairman desired by the administration but not in fact supported by many of the departmental faculty. The second complaint reflected the concern of some that junior faculty voices may not be given appropriate consideration in the decision process. In some departments where a division between junior and senior faculty is rather sharp, there is an apprehension that the senior faculty could perpetuate such a division by convincing the central administration (itself usually drawn from the senior faculty) to select a candidate sympathetic to the senior faculty and to established policies.

Both of these complaints reflect doubt about the bases of selection by the Provost. They also reflect uneasiness based on the lack of knowledge of the content of the letters from the departmental faculty to the Dean of Faculty. In effect, there is doubt about the answers to

two questions: What precisely were the wishes of the departmental faculty? and what besides these wishes were considered in the decision?

Our view is that faculty dissatisfaction could be reduced by two modest revisions of the selection process. The first is an increase in the detail of communication between the Dean of Faculty and Provost on the one hand and the departmental faculty on the other. In effect, the current communication pattern is in one direction only. The faculty members write letters, often containing considerable detailed commentary as the basis of their statement of preferences, but they receive in return only a simple announcement of the outcome. In those cases in which the outcome is in agreement with the suggestions of the great majority of the faculty, this is undoubtedly sufficient. In those cases in which there is significant division within the department, however, such a limited communication can serve to increase divisions within the faculty as well as lower the degree of trust some facutly have in central administration. It is precisely in such cases that the feeling that the chairman is "the administration's man" can develop.

How can the communication process be improved? There are two points at which this might be done. The first is at the point at which the Dean and Provost become aware of the extent of division within the department. In some cases it may be much wiser to inform the departmental faculty of the fact of division and ask them to attempt to find a suitable common position before making the appointment. This would be particularly desirable in those cases in which the faculty preferences are widely scattered and not sharply polarized, where the faculty has not yet met to discuss the matter together, and there thus is a good possibility of compromise. Such an approach would permit the departmental faculty to deal with their own divisions rather than to have a solution imposed from outside. It would provide the person who is ultimately appointed chairman with the possibility of a stronger backing by his colleagues rather than being thought to be a minority candidate.

This first method of improving communication would presumably be used in only a small number of cases. The second method could be used in all cases, as it contemplates that a regular practice be observed by the Provost or Dean to communicate to the departmental faculty the basis for the decision. In those cases in which the great majority of the faculty had agreed on a single candidate whom the Dean and Provost also approve, the communication need only record that this

was so. Where the faculty consensus is not unanimous, however, it is likely that there will be those who will have reservations about the appointment and who may have doubts about the process by which the appointment was made. It should be made easily possible for those with such reservations to obtain an explanation. Just as the Dean of Faculty makes himself available for conferences to discuss the *prospects* of the appointment, he should also be available for conferences to explain the *basis* of the appointment. An invitation to confer with him should be included in all letters of announcement so that those who have reservations may have open access to the relevant information.

In some special cases, it may be advisable for the Dean or Provost to go beyond this form of communication and arrange for a meeting with the departmental faculty. This would seem desirable in those cases in which the decision is made to seek a chairman outside the department without departmental faculty concurrence. It would also seem desirable in those cases in which an inside chairman is appointed who does not have majority support in the department. In both cases, the administration is in effect saying that the department requires administrative assistance to improve its quality. If this is the case, it is often preferable to face the issues squarely rather than to impose an external influence on the department without explanation.

Implicit in these suggestions is the general view that members of the department should participate as openly as possible in the whole process of selection of a chairman. Such participation not only provides the most effective basis of assurance that the ultimate outcome will receive the active support of the faculty, it also provides an important opportunity for the department to pause long enough in its more routine activities to assess its current status and to make plans for the future. The choice of a new chairman (or the decision to reappoint the current chairman) has important implications for the future of the department. It should be more than a popularity contest. In order to make a wise choice, a number of complex issues need to be considered. If faculty members are to participate meaningfully in that choice, it will usually be necessary for them to consider, collectively as well as individually, the long-range implications of their recommendations.

To some extent the current process militates against such careful deliberations in three ways. First, it is not clearly understood by members of the faculty just when they will be asked to propose a candidate for chairman. The terminal point in a chairman's

appointment is known, of course, but just when in the last year of his tenure the request for suggestions will be received is not known. Second, this uncertainty becomes a source of serious difficulty if, as it not infrequently happens, the request for suggestions sets a time limit—on occasion as little as two weeks—which foreshortens any opportunity for collegial deliberations within the department. Finally, as each faculty member receives a separate letter inviting him to submit his own suggestions, some faculty members have been led to conclude that collective consideration of the chairmanship woud somehow be considered to be inappropriate. The Commission does not believe that this is at all a correct view of the matter, but simply for clarification we recommend that the Dean of Faculty appropriately indicate that departmental discussions are in fact welcome.

As the tone of the department is reflected in the choice of its chairman who thereby influences matters of concern to students as well, the Commission also recommends that timely invitation to submit suggestions and comments be extended to the graduate and undergraduate associations of the department or, where these may not exist, to student members of the program committee (elsewhere described in this report). Thè Commission notes that this has already been done in one instance (economics).

Beyond these mechanisms, we have previously noted that the Dean of Faculty regularly meets with an advisory committee for consultation on matters of budget and personnel. At least where there is a strong division within the department or where the Dean or Provost believe that the departmental faculty view may not be the best one, it may be useful that the selection of the chairman be discussed by the Dean with his advisory committee—providing a broader base for suggestions in coping with difficult cases, further reducing anxiety of undue influence, and aiding the Dean in the decision he makes.

Term of Office

The current practice is to appoint the chairman for a three year term if he is chosen from within the university and a five year term if he is chosen from outside. We found no objection to this practice, and the Commission recommends its continuation.

The basic issue in this regard is not the initial term of office, but the

matter of reappointment. Reappointment in all cases is for a three year term, without limitations on the number of terms a chairman may serve. There seems good reason not to make an absolute rule about the number of times a chairman may be reappointed. In some departments a chairman may have such strong support from both the departmental faculty and central administration that his removal from office might prove a disservice to all concerned. In general, however, the justification for making the term of office three (or five) years is that such a term provides all parties with a point at which to reassess the desirability of continuation. In most cases, it is to the advantage of both the incumbent and the department to have some turnover in the office. The incumbent in most departments of any size finds the task so demanding that he cannot continue his scholarly work at its usual level. If he is in office for more than two terms, it may become very difficult for him to return to such work afterwards. From the department's point of view, a new perspective in the office is equally likely to be desirable. The Commission therefore recommends that the current term of office be maintained, but that reappointment beyond a second term occur only under exceptional circumstances.

Incentives

Given the variation in size and complexity of the departments, there is necessarily considerable variation in the demands faced by departmental chairmen. In a very small department without a graduate program and without externally funded research and training programs the tasks are rather limited. In a large department with such programs, however, the positions can be very demanding indeed. The demands are often such that two related difficulties are faced by the chairman: he is harrassed by a continuing flow of administrative minutiae, and he is prevented from engaging in his own scholarly work. Almost without exception, the chairmen who met with us noted that it was their research which was most adversely affected; all of them continued their teaching activities, although usually at a reduced level.

It is apparent that because of these difficulties some members of the faculty who might be highly desirable chairmen are nonetheless reluctant to accept the position, even when urged to do so by their colleagues and the administration. The Commission was thus concerned to find some means of making the position more acceptable.

Some recognition of the added expenses incurred by the chairman in the performance of his duties needs to be made. This can be done either through salary increments or through an enlarged expense account. In addition, the increased burdens carried by the chairman should be rewarded through a salary increment, irrespective of such expenses. There was general agreement, however, that salary and expense account funds did not meet all the problems of the chairman.

Three other proposals are more directly relevant to these problems. First, in those departments in which the complexity of the structure and the burdens of the chairman warrant it, there is considerable value in making available to the chairman the services of a highly competent administrative assistant or executive secretary.

In some of the departments it is evident that the chairmanship is a year-round position. Yet, the usual practice is to keep the chairman on the same nine-months salary base as other faculty members. The obvious inequity here is that the chairman is expected to perform university functions at times for which he is not being paid by the university. Thus, in many cases there is a sound argument for providing the chairman with an eleven month, rather than a nine month, salary.

A third suggestion is also related to the chairman's difficulties in remaining active as a scholar during his tenure in office. To encourage acceptance of the office as well as its more welcome relinquishment after two terms, the Commission recommends that a faculty member having served two (or more) terms as departmental chairman be granted a year's sabbatical leave on full faculty salary rather than the half salary (or full salary for one-half year) as would otherwise be the case.

These several recommendations must appropriately be considered in the context of individual cases and applied in light of the level of demands made on chairmen in departments of differing size and complexity. It is the view of the Commission that some combination from among these incentives will appropriately apply to the majority of departments, however, and that the proposal for improved sabbatical leave may be especially helpful.

Powers

In all cases, as we have previously noted, the chairman is the major point of contact between the department and the central administration: he is responsible for proposing appointees for the positions of Director of Graduate Studies, Director of Undergraduate

Studies and Supervisor of Freshman Studies; he appoints departmental committees; he arranges the schedule of courses and teaching assignments; he prepares the budget proposal and oversees the expenditure of departmental funds. His, too, is the responsibility to insure excellence in the faculty and to take the initiative in determining departmental needs and faculty prospects. In all of these matters save only recommendation of individual salaries, however, the chairman must cultivate the active cooperation and consent of his colleagues. He is primus inter pares in the Commission's view, neither to be regarded merely as the faculty's executive secretary nor to regard himself as its master. The chairman who makes decisions unilaterally, without consultation and participation of the faculty, deprives the department of its collegial integrity and clearly oversteps his position.

The specific mechanisms for faculty participation in departmental governance are reviewed with recommendations in the following section of this report. Those mechanisms aside, however, the Commission also recommends that the central administration should appropriately issue a statement of policy in general clarification of the chairman's role. There is in fact a proposed statement, but even should it be considered adoption, it should be amended to provide: "The Chairman, in cooperation with the faculty of the department acting either as a committee of the whole or as represented in an executive committee, appoints all departmental committees, recommends appointments that come from outside the department (e.g., directors of undergraduate and graduate studies) and has the responsibility for departmental governance in general."

## II
## FACULTY MECHANISMS OF DEPARTMENTAL GOVERNANCE

The Commission believes that every regular faculty member is entitled to participate either directly or by representation in the governance of the department with which he is principally associated, independent of any consideration of academic rank. As the need for an executive committee will depend upon the size of the department as well as the desire of the faculty, the decision to establish an executive committee may itself appropriately be left to departmental determination. Specific recommendations on the mode of faculty participation by representation through an executive committee are set forth below. Whatever course a department may elect to pursue, however, the Commission recommends that its forms of governance be described and published in written bylaws. The adoption and availability of bylaws should avoid misunderstandings from arising within the department and should help to acquaint new faculty members with established departmental practices.

In the event that a department elects an executive committee as it may well prefer to do where the entire faculty is so large that regular meetings of the full faculty would be unwieldy and inefficient, the chairman of the department should of course also serve as chairman of the executive committee. The Director of Graduate Studies and the Director of Undergraduate Studies should automatically be members of the executive committee as a consequence of their office, but the Commission recommends that the balance of the committee be elected by the entire faculty. Additionally, specific provision should be made in this respect to insure representation of non-tenured faculty members, preferably by confining the choice of some of those eligible for election to non-tenured faculty members in every department which may in fact have any significant number or proportion of such faculty members. The executive committee, acting in lieu of the departmental faculty, should possess the same consultative authority with the chairman on all matters of departmental policy as the departmental faculty itself. In respect to personnel decisions, however, the Commission believes that while the executive committee may act with the chairman in lieu of the whole faculty, special considerations require that every department should also provide for the following specific means of faculty and

student input.

Decisions respecting initial appointment, reappointment, promotion, and tenure should ordinarily proceed upon recommendation of the regular faculty of each department, subject to administrative review and approval. In the choice of new appointments to the regular faculty, the widest possible faculty participation is desirable. In departments of sufficient size that initiative must be taken by the chairman on new personnel, his selection of names to be proposed should be made with the advice and consultation of a committee of the faculty and in no event should a recommendation for regular appointment to the regular faculty be forwarded to the Dean of Faculty prior to full opportunity of all members of the faculty to evaluate and to comment upon the proposed recommendation. In the exceptional case where the Dean of Faculty or the Provost believes that a regular appointment should be made without affirmative recommendation of the departmental faculty, he should provide the faculty with reasonable notice, an opportunity to consult, and the opportunity of tendering alternative suggestions.

In the case of appointments to tenure, the recommendation should be determined upon consultation and vote of all regular tenured faculty members (or an appropriate faculty committee in departments of very large size). In the case of renewal of appointment and promotion, the recommendation should be reached by all regular faculty members above the current rank of the individual under consideration.

To improve the professional security of non-tenured faculty members, the Commission also recommends the immediate implementation of the proposed A.A.U.P. Statement on Procedural Standards in the Renewal or Nonrenewal of Faculty Appointments. The implementation of those standards should do much to relieve junior faculty members of anxiety that decisions especially critical to them may sometimes be made with inadequate consideration. Implementation should also be appropriately reassuring to students that junior faculty members sharing their particular concerns are appropriately protected and encouraged through academic due process. The A.A.U.P. proposed statement is reproduced in full as an appendix to this Report.

These are, however, recommendations of minima and not intended to discourage departmental faculties from including faculty in all ranks from contributing to personnel recommendations nor are they intended

to discourage new means of including student participation as well. Several departments currently provide means for students to propose new appointments, evaluate visitors, and otherwise contribute to personnel decisions, for instance, and the Commission thoroughly commends these developments. Additional considerations respecting student participation in personnel matters are discussed hereafter, but several may explicitly be noted here.

The Commission has found that a widespread belief exists among the faculty and students that teaching is not given sufficient weight in personnel decisions. The Commission is uncertain as to whether this is a correct belief or whether, although excellence in teaching may theoretically be duly emphasized in personnel decisions, the means of determining that excellence are so marginal that the result comes to the same thing. In either case, the Commission is unanimous in recommending that more systematic attention be given to the evaluation and emphasis of excellence in teaching in personnel decisions. This may be encouraged in part by improvement of the annual student course evaluation report with more substantial university financial support, revision of its style and questions, and the development of means of survey to assure participation by a more substantial proportion of the students to improve the reliability of the evaluation. Similarly, individual departments should consider developing intra-departmental techniques of teaching evaluation (as the Department of History has done this semester in the use of special questionnaires to students). Additionally, further development of elective curricula with few required courses would provide an informal means for students to reflect judgments of teaching excellence in their selection of courses and professors. In a wholly complementary sense, the consideration of each department faculty of the use of a reasonably uniform grading curve may avoid a form of unfair competition where student enrollment is obliquely encouraged or discouraged by the difference in grading standards. Finally, departments might appropriately consider the inclusion of students on a personnel committee which initiates suggestions for new appointments (as is currently provided in the law school), although consistent with needs of frankness, confidentiality, and professional responsibility, a majority of the Commission believes that the ultimate recommendation must be composed by the regular faculty.

## III
## MECHANISMS FOR STUDENT PARTICIPATION

In the past two years, relations between a number of students and faculty members have become increasingly strained at the departmental level, quite aside from other forms of general campus unrest. As noted in the introduction to this report, the seeming unresponsiveness of curriculum and personnel to student requests for change, relevance, and participation have resulted in a disturbing degree of student mistrust and bitterness. At the same time, a number of faculty are correspondingly dispirited over deteriorating student interest in class, the growing edge of antagonism and occasional incivility in personal relations, and the sheer expenditure of time in the confrontation of demands. All too frequently, mutual trust and respect have been eroded by the grind of political differences. In this atmosphere, both teaching and learning become casualties; for teaching becomes a burden when the students are thought to be sullen, and learning becomes impossible when teachers are seen as antagonists.

As it relates to departmental governance, the dissatisfaction comes to a head in the consideration of how, by whom, and with what consideration decisions are made. As we have emphasized, at Duke the departments traditionally have operated with considerable autonomy with only modest administrative supervision and virtually no formal governance connections with students. Indeed, student demands for involvement at the departmental level of governance are of fairly recent origin, and even now in only three or four departments have undergraduate students made concerted efforts to create or to participate in new departmental organizations. (The Committee of History Undergraduate Majors, the Political Science Union, the student union in the Religion Department, the recent decision of the classical studies department to include four students on the regular faculty committee of the whole, and the recent decision of the law school to include students on all standing committees, are illustrative of current developments.)

Moreover, the Commission believes that there is reason to doubt whether anything approaching a majority of undergraduates truly desire the drain of time and energy implicit in regular participation in departmental governance, notwithstanding the current discontent. Just

as faculty are seldom eager to spend time in committee meetings until they have been moved from dissatisfaction with those previously managing the department, it is also likely that student interest in faculty committee meetings is more of a symptom of discontent with the decisions being made than of desire to participate for its own sake. The proper approach is neither to be overly impressed by demand simply because it is strong, nor to dismiss the case for greater considerateness of student needs until a strong demand is made.

We have noted in the introduction, however, that decisions of departmental curriculum and personnel emphatically affect students in several ways, most especially in the selection of things they are free to study and in the quality of the teaching which they receive. Aside from encouraging a renewed degree of personal access and discussion between faculty and students in general, the Commission recommends the following proposals to provide for appropriate consideration of student needs in departmental governance:

Undergraduate and Graduate Program Committees

These committees should have significant student representation so that in the larger departments (twenty or more faculty), each might have four students, two faculty members who also serve on the executive committee, and two at large faculty representatives, one of whom should be drawn from the non-tenured faculty. (In smaller departments, the committee might be composed of two students and two faculty members one of whom is drawn from the non-tenured faculty.) In both cases, however, the directors of graduate and undergraduate studies should be *ex officio* members of the proper committee. As the committees would be advisory, it need not be critical that there may be no natural departmental student organization to elect the student members. Where such organizations exist, they may appropriately be utilized to secure student representation. Where they do not exist, it may be sufficient to provide for membership by mail ballot, by petitions with the highest number of names of departmental majors or by some other appropriate means. The term of student service might be for either one or two years, as experience indicates.

These committees would have principal advisory responsibility on departmental curricular matters such as major requirements, course offerings, grading standards, and general teaching methods. They are

appropriately "program," rather than "curriculum," committees because of the greater latitude of their concerns. In any area the committee members believe to be appropriate for advisory consideration, the committee would be free to compose a recommendation to submit to the departmental executive committee or to the full faculty for action. The student committee members as well as the faculty committee members should be invited to attend and to participate in the presentation and discussion of their proposal.

Complementary Mechanisms for Student Participation

Other portions of this report concerning selection of the departmental chairman and personnel decisions advert to specific means of student participation which should be briefly listed here:

1. Inclusion of students in the nomination of faculty members to serve on the Advisory Committee to the Dean of Faculty (as described in Part IV of this report).

2. Inclusion of graduate and undergraduate student associations among those specifically invited by the Dean of Faculty to submit suggestions for departmental chairmen.

3. Additional funding and institutional support of the annual student course evaluation report, systematic revision and use to insure full student participation, and regular departmental reliance upon the report in the determination of teaching excellence as a significant factor in personnel decisions.

4. Departmental development of improved means to assess student appraisal of teaching excellence and utilization of such information in personnel decisions.

5. Departmental consideration of widespread disparities in grading practices to insure that course enrollment shall not be influenced by competitive grading of a destructive character.

6. Further development of elective curricula and sectioning of courses with corresponding freedom among the students more genuinely to select classes as a reflection of their judgment of teaching excellence as well as subject matter importance.

7. Consideration by the departments for the inclusion of students on other standing committees, including personnel, advisory to the departmental faculty and consistent with requirements of confidentiality.

If departmental governance is to be truly viable, however, formal means of influence and participation must be complemented by

customary means of informal contact as well. Students should be encouraged to discuss with the directors of graduate and undergraduate studies their reactions to courses and to the faculty. The faculty must evidence a willingness personally to welcome suggestions, just as it should challenge the students to consider how the quality of courses may be improved. Similarly, when a proposal for change in departmental policy may be under consideration and the matter is one likely to concern the students, informal notice should be communicated and informal opportunities provided for individual students or their associations (as an association of majors) to submit their suggestions and to discuss the proposal with the chairman.

A certain number of these recommendations already characterize the governance of some departments, although the Commission readily recognizes that some of its recommendations respecting students are essentially untried at Duke and not many of them have been systematically tested in any department. It may develop, moreover, that not all will work well, that students may not uniformly wish to respond, or that some of the recommendations, once tried, will prove in time to be unnecessary. That time has not yet arrived, however, and the Commission earnestly hopes that students and faculty will provide a fair opportunity to determine whether we can, through renewed cooperation, continue to improve the excellence of the university with the aid of these additional means.

## IV
## ADVISORY COMMITTEE TO THE DEAN OF FACULTY

The Commission's earlier Interim Report on Central Administration described the critical link of the Dean of Faculty's Office between departmental interests and central budgetary and academic personnel policy. The conclusion was expressed in that report that "the advisory committee [to the Dean of Faculty] might more appropriately be reconstituted to provide student and faculty in the arts and sciences with more sustained and comprehensive association with the official whose authority most directly and profoundly affects them." (II Interim Report, pp. 7-8) A specific recommendation was deferred, however, pending consideration of departmental governance itself. Having completed that additional review, the Commission again addresses itself to the composition of the Advisory Committee.

The Commission's recommendations elsewhere described in the Report respecting departmental governance will, when implemented, more nearly provide assurance that departmental chairmen are appointed with adequate considerateness of all the faculty in each department. Additionally, they will better guarantee that recommendations made by each departmental chairman on matters of shared departmental faculty concern are discussed and reviewed within the department with full collegiality prior to their submission to the Dean of Faculty. In both respects, improved conditions of decision sharing within the departments render it less critical than would otherwise be the case that the Advisory Committee to the Dean of Faculty be substantially reconstituted to guarantee broadly representative faculty consultation within the retinue of the Dean's own advisory committee. Such a degree of representativeness within the committee might be guaranteed only by providing for the election of the committee members at the cost of imposing upon the Dean a duty to seek advice from those with whom he may not wish to share his confidence on an intimate and continuing basis. The Commission therefore believes that a purely elected Advisory Committee is neither necessary nor appropriate. As a more general recommendation, however, the Commission does urge that the Dean of Faculty seek to compose the Advisory Committee on a broader basis to include some

faculty members not holding administrative posts, with some of these drawn from the more junior ranks as well. A loosening in the profile of perspectives reflected in the more heterogeneous composition of the Advisory Committee would be seen as a reassuring development.

As one suggestion in this regard, a majority of the Commission recommends consideration of reconstituting the Advisory Committee as follows:

1. Ex Officio membership of the Dean of the Graduate School, the Dean of Undergraduate Education, and the Assistant Provost for Academic Administration (as is presently the case).

2. Selection by the Dean of eight additional members including two from each of the following groups, each person to serve for two years:

a) the natural sciences
b) the social sciences
c) the humanities
d) the professional schools, exclusive of medicine and nursing

3. The selection would be made annually of one person from each of these groups, the person to be selected from each group being either of the highest ranking two nominees proposed by mail ballot of all faculty members in each group including, however, two student members of the graduate and undergraduate program committees in each department which provides for such committees. (Four students in each department having graduate and undergraduate program committees would thus be eligible to nominate faculty members from whom the Dean of Faculty would make his selection, although students would not themselves be eligible for nomination to the committee.)

The Advisory Committee would have eleven members, as is presently the case, departmental chairmen would of course have the same eligibility for service as all other faculty members (and might well be expected to be favored in the nominating process because of their departmental administrative responsibilities), the Dean would retain a desirable degree of personal discretion in the actual appointment, but

both faculty and students would have a more substantial role in the nomination of those to be proposed for the Dean's consideration.

Respectfully submitted,

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THE COMMISSION ON UNIVERSITY GOVERNANCE
May 29, 1970

*See Separate Statement of Views on Student Participation in Departmental Governance, which follows.

## Appendix 1

### Proposed Statement on Procedural Standards
### In the Renewal or Non renewal of Faculty Appointments
### American Association of University Professors

Committee A recommends the following procedures as a guide to good practice in an institution's relations with individual faculty members during the probationary period and at the time decisions are made regarding renewal of term appointments on the granting of tenure. These procedures do not apply to special appointments, clearly designated in writing at the outset as involving only a brief association with the institution for a fixed period of time.

1. Criteria and Notice of Standards.The faculty member should be advised, early in his appointment, of the substantive and procedural standards generally employed in decisions affecting renewal and tenure. Any special standards adopted by his department or school should also be brought to his attention. (As suggested in Section 8 of the 1970 Interpretive Comments on the 1940 *Statement of Principles on Academic Freedom and Tenure,* adequate consideration by the appropriate faculty body, particularly when a decision on tenure is to be made, may be enhanced when there is provision for periodic review of the faculty member's situation.)
2. *Opportunity To Submit Material.* The faculty member should be advised of the time when decisions affecting renewal and tenure are ordinarily made, and he should be given the opportunity to submit material which he believes will be helpful to an adequate consideration of his circumstances.
3. *Notice of Reasons.* In the event of a decision not to renew his appointment, the faculty member should be informed of the decision in writing, and, if he so requests, he should be advised of the reasons which contributed to that decision. He should also have the opportunity to request a reconsideration by the decision-making body.
4. *Written Reasons.* If the faculty member expressed a desire to petition the grievance committee (such as is described in Section 10 or 15 of Committee A's "Recommended Institutional

Regulations"), or any other appropriate committee, to use its good offices of inquiry, recommendation, and report, or if he makes the request for any other reason satisfactory to himself alone, he should have the reasons given in explanation of the nonrenewal confirmed in writing.

5. *Petition for Review Alleging an Academic Freedom Violation* (Section 10, "Recommended Institutional Regulations"). The primary functions of the committee which reviews the faculty member's petition should be following:

(a) To determine whether or not the notice of nonreappointment constitutes on its face a violation of academic freedom.

(b) To seek to settle the matter by informal methods.

(c) If the matter remains unresolved, to decide whether or not the evidence submitted in support of the petition warrants a recommendation that a formal proceeding be conducted in accordance with Sections 5 and 6 of the "Recommended Institutional Regulations," with the burden of proof resting upon the complaining faculty member.

6.*Petition for Review Alleging Indadequate Consideration* (Section 15, "Recommended Institutional Regulations"). The primary functions of the committee which reviews the faculty member's petition should be the following:

(a) To determine whether the decision of the appropriate facutly body was the result of adequate consideration in terms of the relevant standards of the institution, with the understanding that the review committee should not substitute its judgment on the merits for that of the faculty body.

(b) To request reconsideration by the faculty body when the committee believes that adequate consideration was not given to the faculty member's qualifications. (In such instances, the committee should indicate the respects in which it believes the consideration may have been inadequate.)

(c) To provide copies of its report and recommendation to the faculty member, the faculty body, and the president or other appropriate administrative officer.

## Separate Statement of Views on Student Participation in Departmental Governance

### Preface

This statement examines the role of students in departmental governance. Although we are submitting a report on the role of students in particular, it should not be understood to mean that we do not endorse the measures recommended in the Commission's report dealing with departmental affairs. We do, however, believe that the recommendations, although worthwhile, are insufficient and, in the long run, far short of our conception of the proper role of students in departmental governance.

We would recommend that all departments consider either the inclusion of students on departmental executive committees, in large d e partments, or as participant-members in the general faculty meetings, for small departments.

It should again be emphasized that this is a statement in addition to the Commission's discussion of student participation in departmental governance. We endorse the Commission's recommendations as a start in the right direction, but find them unacceptable in that they do not go far enough toward insuring collegiality in departmental affairs.

The basic idea upon which this statement is grounded is that the individual has the right to be involved in the decision making process when decisions are made which affect the life of that individual. The nature and extent of this participation is contingent upon the extent to which the individual is affected by these decisions. However, we believe that the students have an equal right to representation, yet the representation would not necessarily need to be equal to that of other participating groups. It is our intention to show that the fears of student participation in departmental governance are unrealistic, and insufficient to deny the right of such participation.

It is our belief with direct reference to departmental governance that the student is as essential to the functioning of the department in the university context as the faculty members who teach within the department. In this respect then, the students, as well as all faculty members of the department, have a stake in departmental affairs and should justly be included in the governing process.

There are distinct problems that face students of which some faculty members are unaware. Students in particular are limited in their freedom of choice within the academic sector at an institution the size of Duke. Such limitations, when they are the result of monetary considerations, are justifiable; however, when they are the results of a lack of faculty concern and responsiveness they are not justifiable and should be corrected. Students as the recipients and consumers of course offerings should, as the Commission notes, have a large role within the area of curriculum. However, student involvement and responsibility must not stop here. A successful classroom learning experience is a combination of subject matter and professional ability. Both factors are thus student concerns. It is inaccurate to assume then that student responsibility is unrelated to promotion, tenure, and other departmental matters. The importance of direct student participation in personnel decisions is magnified by the long range effects of these decisions on the academic environment to which students are exposed.

Although the concept of collegial responsibility presently stops with the faculty (and, in some cases, with the senior faculty), ideally it should encompass the entire vertical spectrum of a department. Most certainly students have a stake in the reputation of their department, as well as in the scholarly qualities of its faculty. While that stake is not as great as that of the individual faculty members, its relative smallness does not disparage the validity of student claims to participation in

departmental governance or justify their exclusion from it.

Admittedly most students would likely lack the expertise to evaluate the technical aspects of a professor's publications. However, in the area of teaching capabilities and to a lesser degree in the area of publication evaluation, the student's opinion is valuable and essential. In particular, precisely because he is a student, the student is the most effective analyst of the professor's teaching ability. In addition, the perspective of students as future scholars would be invaluable in analysis of the man's research and publications. If a primary responsibility of the university is as an educational institution then this student perspective cannot be denied.

While the Commission proposes increased teacher-course evaluations as a means of obtaining student input, this is not sufficient. It still denies the student the right to directly participate in decisions of considerable importance, that directly affect him. It would not allow the student to respond to comments made in the decision making body, or effectively to present their ideas when decisions are being made. Such a proposal is a refinement of the "we teach it, you take it" attitude which seriously inhibits the development of any spirit of scholarly community within the department.

Thus we can see only one viable alternative to this arrangement: limited student membership on the executive committees in the case of large departments and student membership in general faculty meetings in small departments.

In particular, we recommend that in departments with an executive committee at least one undergraduate student and one graduate student be included as full members of the executive committee. The undergraduate(s) should be chosen by mail ballot of departmental majors and the graduate student(s) chosen by mail ballot of all graduate students in the department. In departments acting as a committee of the whole a number of students, elected as above, should be included in faculty meetings with the voting rights of tenured faculty members. The number of such students should be determined as follows: at least one undergraduate and one graduate (in departments with graduate programs) shall be included for each ten faculty members. Such an arrangement would insure direct representation of student opinion on all matters within the department. But with limited membership the student voice would not be a controlling one, but rather a contributory voice. Such an arrangement would be consistent with the ideals set

forth above, yet would not infringe on the right of the faculty to control departmental affairs. The structure acknowledges the primacy of faculty concern in the area of departmental governance and at the same time admits the heterogeneity necessary to insure wise decision making.

In the partnership that the academic process ought to be, student involvement should be viewed not as a negative force but rather as an opportunity to renew the vitality of the intellectual community. Student participation can breed a healthy skepticism of current goals, values, institutions, and personnel. Properly encouraged and executed, student participation will work to keep the academic environment flexible and responsive. No structure of governance can operate effectively if its most important decisions are removed from the realm of recall by those most vitally affected by these decisions or if they are made by a generally homogeneous group. Such is the case when students are excluded from personnel considerations rendering students impotent to shape the environment in which they must live and grow.

The Commission has dealt at length with the erosion of mutual good faith and trust between students and faculty in the university. To restore the academic community of interest to some form of harmony is the most important thing the Commission's recommendations can begin to do; but it will not happen, we believe, until students are acknowledged as partners in a mutual endeavor, until they are represented at the nexus where crucial decisions are made, until student voices are heard, within a governing body commensurate with the idea of collegial responsibilities. Trust and respect are delicate values that are only real when they are developed in an open and candid discussion by those involved. To shut students off from personnel decisions is to imply that there is no partnership, and to abort the collegiality on which academic institutions flourish or falter.

Within the course of our discussions on the Commission, several arguments of varying validity were presented in opposition to direct student participation in decision making bodies. In an effort to reach consensus an attempt was made to compromise over this issue, limiting the students at first to non-voting status, finally to a mere presence, but each of these was found unacceptable. We would like to evaluate the arguments presented in opposition to direct student participation and offer our rejoinder. There are three basic arguments presented to

oppose student membership on departmental executive committees or in general faculty meetings.

The most impressive of these arguments is that the faculty is professional in nature and can only maintain its professional status if it retains complete control over all personnel decisions. Admittedly a large part of academic professionalism is in the area of publication and scholarship. Equally important to faculty professionalism, however, is the furtherance of knowledge in the classroom. Teaching, therefore, must be considered a primary professional responsibility. The university is unresponsive to the means of quality control prevalent in other professions. For example, if a client is unhappy with his lawyer or doctor he can withhold a fee and seek assistance from more qualified professionals. The student has no such control and often no easy access to other professionals in the same field of study. Thus, we see a second argument emanating from this discussion of professionalism which supports student participation rather than limits it. For this basic reason, then, to state simply that professors are professionals and must maintain their professional status by exclusivity at the decision-making level is a denial of the principle of checks and balances that is operative for most professionals.

A second argument in opposition to direct student participation in departmental governance is related to the transient nature of students as members of the university community. This argument implies that students feel less responsibility for the community as a whole than do the other members of the community. We deny the validity of this implication. Evidence against it may be found in the conduct of student representatives on a host of university committees. Furthermore, even were this argument true, it is somewhat insignificant in relation to this specific proposal. Students do feel a responsibility for the standing of the University. The widely held misapprehensions with regard to this issue seem unrealistic in terms of discrediting student decision making ability, in attributing malevolent goals to students and in overestimating student power in such decisions.

Intimately related to the concept of responsibility is that of confidentiality. The argument states essentially that students cannot keep secrets and that they will inform all their friends about who is being considered for tenure, or what job offers he had, etc. There are two statements which are pertinent to this argument. The first is that students as a body are no more or less secretive than are faculty.

Second is the primary reason why this argument is inappropriate. Certainly anything relating to an instructor's scholarly qualifications cannot be termed private, and therefore worthy of extensive confidentiality. However, we have been told that students should not be involved in faculty decisions because there is often "dirty linen" aired. We would maintain that dirty linen has no place in a formal faculty consideration; that personality conflicts should not be a basis for deciding whether or not a faculty member should be granted tenure; and finally that if non-academic criteria are indeed used in evaluation of prospective professors that there ought to be student representation on the executive committee to insure that such topics are saved for the lunch room and not for the formal evaluation. Thus the confidentiality argument says more about what goes on in faculty considerations than it does about why students should not be involved in those considerations.

We would like to make one final comment about the general nature of these arguments. Central to the last two of these arguments is the assumption that students as a whole are different from the four particular students on this Commission and all students who have effectively participated on university governing bodies. This assumption has been particularly irksome and at times insulting to some of us. For when it is stated that students are irresponsible and don't have the best interests of the university at heart, the speaker implicitly means that all the students noted above are either irresponsible and cannot be trusted or that they are different from students in general. We would maintain that students in general are just like those students mentioned above, and that to maintain that these students are exceptional because they are responsible is illogical, illfounded, and false.

In the end there remain no convincing arguments to substantiate the position in opposition to our plan. We are indeed left with the belief that some faculty wish to protect their vested interest as faculty members and that they consider this introduction of minority student participation merely a foothold for further student encroachment on the rights and privileges of faculty members. We have nothing to say to this type of unacademic response to a sound proposal which would work to develop student-faculty collegiality in departmental governance. Shared power is not the same as no power; nor is it lost power. Together students and faculty must begin again to assess what the university is and should be. Such an interface must lead to new

conceptions, expectations and institutions. This will only occur when the faculty and students of the university actively join as responsible critics. Students cannot and should not do it alone.

We would like to emphasize that this statement is submitted in the spirit of shared collegial responsibility which we hope will lead the way to its wider use in University governance.

We would like to thank Mr. Hank Seaton, student alternate, for his participation in the deliberations of the Commission in general, and, in particular, for his invaluable aid in preparing this statement.

Respectfully submitted,

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